

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:
MARIA DE LOS ANGELES RIVERA SERRANO

CASE NO. 10-09122-ESL

CHAPTER 13

DEBTOR (S)

**TRUSTEE'S UNFAVORABLE REPORT
ON PROPOSED POST CONFIRMATION PLAN MODIFICATION**

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1329**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Above Median / 60 months commitment period.**

Gen Unsecured Pool: **\$0.00**

The **LIQUIDATION VALUE** of the estate has been determined in **\$6,213.00**

R2016 STM. \$3,000.00

TOTAL ATTORNEYS FEES THRU PLAN: \$2,574.00 Fees paid: \$2,574.00 Fees Outstanding: \$0.00
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With respect to the proposed (amended) Plan dated: **6/22/2011** (Dkt 40).

Plan Base: **45,300.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

- Insufficiently Funded : Fails CREDITORS' BEST INTEREST TEST [§1325(a)(4)]
Plan fails to provide 100%+6% treatment for the General Unsecured Creditors.

- Other/Comments

Debtor must amend the plan to state that the Court will retain jurisdiction over complaint filed by Debtor against Cooperativa de Ahorro y Credito de Guaynabo.

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this July 05, 2011.

/s/ Jose R. Carrion

JOSE R. CARRION
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JQA